

01
02
03
04
05
06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,) CASE NO. CR05-023-JLR
09 Plaintiff,)
10 v.) SUMMARY REPORT OF U.S.
11 RICHARD JACK HIBBS) MAGISTRATE JUDGE AS TO
12 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
13

14 An evidentiary hearing on supervised release revocation in this case was scheduled before
15 me on December 11, 2009. The United States was represented by AUSA Susan Roe and the
16 defendant by Daron Morris. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about August 8, 2005 by the Honorable James L.
18 Robart on a charge of Conspiracy to Distribute Methamphetamine, and sentenced to 60 months
19 custody, 5 years supervised release. (Dkt. 23.)

20 The conditions of supervised release included the standard conditions plus the
21 requirements that defendant be prohibited from possessing a firearm, cooperate in the collection
22 of DNA, participate in drug testing and treatment, abstain from alcohol, submit to search,

01 participate in a mental health program, and provide his probation officer with financial
02 information as requested.

03 In an application dated November 19, 2009 (Dkt. 24), U.S. Probation Officer Angela M.
04 McGlynn alleged the following violations of the conditions of supervised release:

05 1. Using methamphetamine on or before October 27, 2009, and November 16, 2009,
06 in violation of standard condition No. 7.

07 2. Failing to report for urine testing as directed on or about November 13, 2009, in
08 violation of the special condition.

09 3. Having possession of drug paraphernalia on or about November 18, 2009, in
10 violation of standard condition No. 7.

11 Defendant was advised in full as to those charges and as to his constitutional rights.

12 Defendant admitted the alleged violations and waived any evidentiary hearing as to
13 whether they occurred.

14 I therefore recommend the Court find defendant violated his supervised release as
15 alleged, and that the Court conduct a hearing limited to the issue of disposition. The next
16 hearing will be set before Judge Robart.

17 Pending a final determination by the Court, defendant has been released to participate in
18 drug treatment.

19 DATED this 11th day of December, 2009.

20 
21 Mary Alice Theiler
22 United States Magistrate Judge

01 cc: District Judge: Honorable James L. Robart
02 AUSA: Susan Roe
03 Defendant's attorney: Daron Morris
04 Probation officer: Angela M. McGlynn
05
06
07
08
09
10
11
12
13
14
15
16
17
18
19
20
21
22